

THE KENTUCKY GAZETTE.

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OBSERVATIONS

ON JUDGE ADDISON'S CHARGE TO THE GRAND JURY, ON THE LIBERTY OF THE PRESS.

THIS celebrated judge after having by a long chain of reasoning, the correctness of which I shall not at present examine; traced the absolute necessity of punishing in a most exemplary manner, libels against the officers of government, as well as those against private persons; and after having laid down as law several positions, the propriety of which by no means admit, altho' I shall not now investigate them, because it is not necessary for my present purpose, to do so; speaks in the following terms. "As grand juries hear evidence only on all of the propositions of law in all trials for libels, as in other cases the jury determine the law and the facts under the direction of the court (that is, conforming to the decision of a just and reasonable man in a general verdict,) the grand jury generally speaking, cannot ascertain whether the libellous matter be true or not; but if the making or publishing the libel, be proved, they may judge of its truth, and on the trial before the grand jury, the court will find whether evidence of the truth be admissible or not, and whether the matter be libellous or not; and under the direction of the court, the grand jury will determine the law and the fact."

Before I examine the positions contained in this part of his charge, it will be well to enquire into the original cause of the institution of the trial by jury; its importance to the secure enjoyment of our most valuable rights and privileges; and the extent to which the powers of a jury must be carried, to make that trial a real security, and not a nominal one only. And in doing this, as well as in the subsequent parts of these observations, I shall draw freely from the writings of others, because I am confident that they have exerted the proper ideas upon this subject, in a much more forcible manner than I could do; and because I will my readers to be satisfied, that I am not attempting to impose upon them new or dangerous doctrines. Sir William Blackstone, says, "the trial by jury has been used time out of mind in this nation and seems to have been coeval with the first civil government thereof. Its establishment however and use in this land of what date soever it be, though for a time greatly impaired and shaken by the introduction of the Norman trial by battle, was always finally esteemed and valued by the people that consented, no change of government could ever prevail to abolish it. In a general sense it is more than once intitled on, as the principal bulwark of our liberties. And it was ever esteemed in all countries a privilege of the highest and most beneficial nature." The same author says, a knowledge of the law respecting juries is, "a species of knowledge not absolutely necessary, for every gentleman in the kingdom; as well because he may be frequently called upon to determine in this capacity on the rights of others, his fellow subjects, as because his own property, his liberty and his life, depend upon maintaining by his legal force, the constitutional trial by jury." The same author says, "upon these accounts the trial by jury ever has been, and it truly ever will be looked upon a glory of the English law; and if it has so great an advantage over others in regulating civil property, how much must that advantage be heightened when it is applied to criminal cases; but this we must defer to the ensuing book of these commentaries; only observing for the present, that it is the most transcendent privilege which any subject can enjoy, or wish for, that he cannot be affected either in his property, his liberty, or his person, but by the unanimous consent of twelve of his neighbors and equals. A constitution that I may venture to affirm has, under providence secured the just liberties of this nation, for a long succession of ages. And therefore a celebrated French writer who concludes that because Rome, Sparta, and Carthage have lost their liberties, therefore those of England in time must perish, should have recollected, that Rome, Sparta, and Carthage, at the time

when their liberties were lost were strangers to the trial by jury. Great as this enjoinment may seem, it is no more than this admirable constitution, which traced to its principles, will be found in labor to reason to deserve. The impartial administration of justice, which secures both our persons and our properties, is the great end of civil society. But if that be entirely intrusted to the magistracy, a select body of men, and those generally selected by the prince, or such as enjoy the highest offices in the state, their decisions in regard to their own natural integrity, will have frequently an insidious bias towards those of their own rank and dignity; it is not to be expected from human nature, that the few should be always attentive to the interests and good of the many." The same author says, "It is therefore upon the whole a duty which every man owes to his country, his friends, his posterity, and himself to maintain, to the utmost of his power, this valuable constitution in all its rights; to restore, to its true dignity, if it be impaired by the different vices of property, or otherwise deviated from its first institution; to amend it, whenever it is defective; not above all, to guard with the most scrupulous attention, against the introduction of a new and arbitrary mode of trial, which may in any manner be a detriment to the rights of justice, or to the liberty of the subject." The same author says, "The law and the fact, the one in equity and excellence of mind, for the settling of civil property has been explained at large, and it will hold much longer in criminal cases. The nature of a crime as a danger to the public is to be ascertained from the evidence and facts of the case, supported by reason, and not by the opinion of a single juror, though in libels between one man and another, to settle notes and bills, and other matters of private property. Our law and constitution places the determination and trial by jury between the liberties of the people and the prerogative of the crown. It was necessary for preserving the admirable balance of our constitution to vest the executive power of the laws in the prince; and yet this power might be dangerous and destructive to that very constitution, if exerted without check or control, by justices of oyer and terminer occasionally named by the crown; who might then, as in France or Turkey, imprison, dispatch or exile any man that was obnoxious to the government, by an ill-contrived and tyrannical will and pleasure. That the honor of the English law has with excellent success corrected that no man should be called to answer to a king for any capital crime unless upon the preparatory accusation of twelve of his fellow subjects the grand jury; and that the truth of every accusation, whether preferred in the shape of indictment, information or appeal, should afterwards be confirmed by the unanimous suffrage, of twelve of his equals and neighbors, indifferently chosen, and superior to all suspicion. So that the liberties of England cannot but subsist so long as the Paladium remains sacred, not only from all open attacks (which none will be so hardy as to make) but also from all secret machinations which may sap and undermine it, by introducing new and arbitrary methods of trial, by justices of the peace, commissioners of the revenue and courts of conscience." Towers, "On the rights and duty of juries," says, "The right of trial by jury, is of infinite importance to the liberty of the subject. It cannot be guarded with too much vigilance, nor defended with too much ardor. No part of the power of juries should be given up to the whims or caprices of any body of men whatever. The rights of juries should in all cases be regularly asserted, whether they be attacked by open violence, or whether the arts of legal chicanery be adopted, in order to render their offices and magistracy. But if juries should ever be tame and senseless enough to give up the right of determining the law as well as the fact, in libel causes, the liberty of the press is then wholly at the discretion of his judges."

De Lolme says, "Since all judicial power is an evil, though a necessary one, no care should be omitted to reduce, as far as possible, the dangers

of it. And as there is, however, a period at which the prudence of man must stop, at which the safety of the individual must be given up, and the law is to resign him over to the judgment of a few persons; that is, to speak plainly, to a decision in some sense arbitrary, it is necessary that this law should narrow as far as possible, this sphere of peril, and so order happen, that when the subject is to be committed to the decision of his fate by the fallible confidence of a few of his fellow citizens, he may always find in them advocates, and never adversaries." The same author says, "And as the main object of the institution of the trial by jury is to guard accused persons against all decisions whatsoever by men not fixed with any permanent official authority for laws are intended, not to put to what men would do, but to guard against what they may do; it is not only a settled principle, that the opinion which the judge delivers, has no weight but such as the jury choose to give it, but their verdict must comprehend the whole matter in trial, and decide as well upon the facts, as upon the point of law that may arise out of it; in other words, they must pronounce both on the commission of a certain fact, and on the reason which makes such fact to be contrary to law; unless they chiefly to give a special verdict. This is even to essential a point, that a bill of indictment must expressly be grounded upon those two objects. Thus, a indictment for treason must charge that the alleged facts were committed with a treasonable intent. The principle that a jury is to decide both on the fact, and on the legality of it, is so well understood, that if a verdict were to be framed, in order to have for its object the bare existence of the fact laid to the charge of the prisoner, no punishment could be awarded by the judge in consequence of it. Juries are even to be accountable in their verdict, for apprehensive has the constitution been, lest precautions to restrain them in the exercise of their function, however specious in the beginning, might in the ill be converted to the very destruction of the end of that institution, that it is a repeated principle, that a juror in delivering his opinion, is to have no other rule but his opinion of law; that is to say, no other rule than the belief which he holds in his mind from the facts alleged on both sides, from their probability, from the credit of the witnesses, and even from all such circumstances as he may judge to be material to the case." The same author says, "In a word, the constitution of England being a free constitution, demands from the circumstance alone (as I should already have too often repeated, it so fundamental a truth could be too often urged,) extraordinary precautions to guard against the exercise of an insupportable and arbitrary power of inflicting punishments, and it is particularly when considered in this light, that the trial by jury proves an admirable institution. By means of it, the judicial authority is not only placed out of the hands of the man who is well wroth with the executive authority—it is even out of the hands of the judge himself. Not only the person who is trilled with the public power cannot exert it, till he has, as it were, received the permission to that purpose, of those who are set a part to administer the laws; but these latter are also restrained in a manner exactly alike, and cannot make the law speak, but when, in their turn, they have likewise received permission." This author concludes his observations on this subject thus: "All these circumstances have combined to introduce a middle way into the exercise of criminal justice, that the trial by jury is that point which liberally to which the people of England are most thoroughly and universally wedded; and the only complaint I have ever heard uttered against it has been by men, who, more sensible of the necessity of public order, than alive to the feelings of humanity, think that too many offenders escape with impunity."

From the reasoning contained in these quotations we must receive the most satisfactory evidence of the excellence and importance of the trial

by jury; and we must feel with Blackstone, the fullest conviction, that every thing that can be said in favor of this mode of trial in civil cases; will hold much stronger in criminal cases; "three in times of difficulty and danger, more is to be apprehended from the violence and partiality of the judges appointed by the government," on prosecutions carried on in the name of the public against a citizen, than in disputes between one citizen and another, respecting property. And the security really given to the citizen by this mode of trial is, that he shall not be put to answer for any crime, but upon the "preparatory accusation" of twelve or more of his fellow citizens, the grand jury; and that he shall not be adjudged to be guilty of the crime of which he is accused, by judges liable to be influenced by partiality in favor of those who administer the government, (by whose orders the prosecution is carried on,) but only by the unanimous suffrage of twelve of his equals and neighbors, indifferently chosen, and free from all suspicion. The permitting the judges to have any share in deciding on the guilt of the accused, would also deprive him of the benefit of the compassion and mercy of our law, by which unanimity in the jury is required. For the law is so far from widening the conviction of the innocent, that it has declared, that if his offence is not proved beyond all possibility of doubt in the most scrupulous manner, that they shall be acquitted, and a single vote to be sufficient to prevent him from being found guilty. Just as far as the decision on his guilt is left to the judge, a single voice may decide against him, and twelve jurymen who are not liable to the suspicions to which that judge is subject, must concur in finding him guilty, even against their convictions. As therefore, the power of deciding on the innocence of the guilt of the person accused, is vested by law, in the jury, instead of giving it to the judge, for the protection of innocence and liberty, and as the only effectual security against corruption and partiality in trials upon criminal accusations, to give real effect to the design of this institution, juries must be considered as having full power given to them by law, to judge whether the accused has been really guilty of the offence with which he is charged; and every attempt which is made by judges to take to themselves any share in deciding on the guilt of the person accused, is highly contrary and unconstitutional. Having laid so much as to the trial by jury in criminal cases, to make the doctrine applicable to the case under consideration, it need only be asserted, because it cannot be denied, that a prosecution for a libel is a criminal case. It is well known to all who are conversant with the history of criminal prosecutions, that there is no species of criminal prosecution, which is generally carried on with as much eagerness and rancor, by those who administer the government; and none in which judges have exercised as much partiality in favor of prosecutors, as in prosecutions for libels. The first are illuminated by public ambition, hatred and a thirst of revenge, to exert every effort to procure the punishment of those who expose to the world their follies, vices, neglects of duty, illegal assumptions of power and iniquitous views; the last find no cases in which their services will be considered as equally meritorious, or in which they will be as gratefully received, by those in power, as in those prosecutions, where every passion which can inflame the mind of man, directs them to endeavor to make the prosecution successful. It is the effort, in these prosecutions, that the judge exercised a way to that bias which Blackstone says they will involuntarily feel in favor of their power, and to promote the views of the crown at the expense of the man; and for this reason also the law has been circumvented in confining the power of the judges, as much in these prosecutions as in any other criminal prosecutions whatsoever. In that part of the judge's charge which I have already quoted, he intimated upon the following positions as being

idea law: 1d. That if the making or publishing the paper which is charged in the indictment, to be a libel, be proved, the grand jury must find the bill; 2d. That on the trial before the traverse or petty jury, the court has a right to *direct* whether evidence of the truth of the matter contained in the paper be admissible or not; 3d. That the court has also a right to direct whether the matter be libellous or not; and 4th. That under the *direction* of the court, the petty jury may determine both the law and the fact, but that the *petty jury has no right to give a general verdict, unless they make that verdict conformable to the direction of the court in point of law.* To turn these positions of the judge into plain & intelligible English they amount to this; 1st. That if the printing or publishing the paper be proved to the grand jury, they must, upon their oaths, declare it to be a false, scandalous and malicious libel; altho they may of their own knowledge know the facts stated in it to be true; or, altho they may be satisfied that if they are not true, that the publishing of them is no real offence against law; or, altho they may be satisfied that if the publishing of them was an offence at all, that that court had no right to take cognizance of it, because congress, under whose authority they act, had no right to legislate concerning it; and they must do all this, notwithstanding the indictment which they are to find to be a true bill must necessarily state, that the offence was committed against the act of congress. "In that case made and provided." The accusation being thus *legally found to be true* by the grand jury, the judge says, 2d. That when the petty jury comes to try the person accused, that unless the court shall direct it to be admitted in that particular case, the person accused shall not be at liberty to prove the truth of the matter stated in the writing, altho that would be his only means of repelling the charge brought against him; and altho the jury is by their verdict to swear that it is "false, scandalous and malicious;" 3d. That the court has the sole right to determine whether the matter contained in the writing be libellous or not, or, in other words, whether the person accused has been guilty of any offence, altho the jury is to pronounce him guilty or not guilty by their verdict; and 4th. That altho the jury is to pronounce him guilty or not guilty by their verdict, given in an oath, they have no right to deliver such a verdict, unless they conform to the *direction* of the court as to the *criminality* of the matter contained in the paper; and this, after the court had refused to let the person accused, give the truth of the matter in evidence; and altho the jury might be convinced that the publication itself was a meritorious act, and not an offence; or that it was an offence, that that court had no legal jurisdiction over it. If these positions of the judge are really law, on what are the eulogiums which have been so liberally and enthusiastically bestowed on the trial by jury, founded? Where are the additional chances, which, by the means of the two juries, the law intended to give to the accused, to establish his innocence? Where is his safety from the laws requiring his jury to be unanimous? Where is the protecting power of his jury, to shield him against the partiality of his judge, who the law fears would rather be inclined to favor the prosecution, and those who set it on foot, than to do justice to the accused; and where is that fecundity which the law intended for innocence, when it declared that no citizen should be deemed guilty of an offence until he shall have been declared to be so by twelve of his peers, who, having the same interest with him, and being liable to be tried in the same way, will never from any undue bias or corrupt motive, pronounce him guilty of an offence, unless he shall from every part of the charge taken together, appear to be beyond all possibility of doubt? Where are the powerful jurors, made so by the law, because the accused would always find in them "advocates?" They are no more—their powers are delivered over to the judge, to whom the law refused to trust them, because if they were in his hands, the accused would too generally find them exercised by an "ulteriorary." If this "palladium of our liberties" wants all these necessary parts to make it answer the purpose for which it was originally designed, it badly merits the

praises bestowed on it, and instead of affording any real security to innocence unjustly accused, or any protection against arbitrary and corrupt judges, it would render them still more arbitrary, and give still greater scope to their corruption, by making it into subservient tools, always bound under the *direction* of the judge, to pronounce that sentence of *guilt*, which the judge himself would often not dare to give from the bench. If this refusal of the law respecting juries, we may still boast of this palladium of our liberties, but it will prove to be merely an empty boast, and not a real security to them. That security cannot arise from the mere name of a jury; it is not the *semblance* of a jury that can give it, but such a jury as shall have power sufficient to guard our lives and liberties against the partiality or corruption of judges. If the power of judges to decide on the *guilt* of the accused, was formerly an object of terror to our ancestors; the power which is now demanded for them, of *directing* the jury on the question of *criminality*, ought to strike us with horror; as it will equally compass the destruction of our liberties, and will besides, give the *fascination* of juries to our unjust condemnation.

If therefore these things are law they are so evidently contrary to the intention of the trial by jury, they so absolutely do away that fecundity, which our ancestors intended to provide for themselves and us by that trial; that we ought not to lose a moment in demanding that the law should be changed in these particulars. But a proper examination of these positions of the judge will prove, that they are not only not supported by law, but that they are contrary to the clearest, the most undeniable, and the most important legal principles; and therefore that this is one of those cases in which, Blackstone tells us "that secret machinations will be made use of, to sap and undermine this Palladium of our liberties, by those who wish to destroy it, and who dare not attack it openly." I would wish for no better authority to prove that these positions are not law, than what he says in his charge immediately after the passage which I have quoted; he expresses himself thus: "if a traveler jury should determine that a paper is a libel, which is not, and convict a man who has committed no offence, the court has a *control* over their verdict, by granting a new trial, or arresting judgment. But if the jury determine that a libel is no libel, and acquit a man really guilty of an offence, the court has no *control* over their verdict: for a man acquitted of a criminal charge, can never be tried again on the same charge." For when he declares that the court has no control over a verdict of not guilty, given contrary to its *direction*, and that a man acquitted by such a verdict could never be tried again on the same charge he admits that the jury had a right to find such a verdict contrary to the *direction* of the court; and that such a verdict when found, would be a legal verdict: because the court has a *control* over every illegal verdict and because no illegal verdict can be a sufficient foundation upon which a legal judgment of acquittal can be entered. The control which the judge says the court has over the verdict of a jury, "if it should determine that a paper is a libel, which is not, and convict a man who has committed no offence, by granting a new trial," is an additional proof of the great care of the law, for the preservation of innocence unjustly accused. For altho the law considers a jury generally, as the most incorrupt tribunal that could be established, yet, to guard against the possibility even of a jury's giving an unjust verdict against a person accused, it has permitted the court when this appears to be the case, to let aside that verdict, and by a new trial, to give the person accused, a chance for another jury. This, which is added to that part of the charge which I have already observed on, proves, that the law is so far from intending to give a court power to decide against a person accused, on the question of his *guilt*, that it expressly forbids its interference, except in the single case, where it is necessary to give such a power to the court, to prevent his being unjustly convicted of an offence. The court is therefore trusted by law, with power sufficient to protect an innocent man from a corrupt jury, but with no power to compel an honest jury to find an innocent man guilty.

These absurdities and contradictions which appear in this charge are not confined to this judge; all must be guilty of them, who lay down *doctrines* for the purpose of destroying or undermining the trial by jury which are so inconsistent with the general principles of our law, and with the *ends* for which that trial was instituted.

If the judge will attempt to support these positions of his, as being confo-

nant to found legal principles, he shall be answered: if he does not, it will be evident, that he delivered them on the bench with an expectation, that their being delivered on that bench, where nothing but undoubted truth and law should be uttered, would make them pass current, and dilute all enquiry into their propriety.

A LAWYER, Who does not wish to be a Judge.
(To be continued.)

Lexington, January 16.

We have this week to apologize to our readers for the barrenness of our paper—Yet, an apology is unnecessary, when we inform them that THREE MAILS ARE NOW DUE, and that we received none this week, neither eastern or southern.

Timoleon is unavoidably postponed—it shall appear as soon as convenient.

FOR SALE.
Two hundred and fifty acres of Military Land, LYING in Woodford county, on the road leading from Woodford court house, to Delany's ferry, five miles from the former, and two from the latter—about forty acres cleared, a good peach orchard, and a hewed log dwelling house, with a single roof. For further information, apply to Mr. Thomas Bullock, near the premises, or to the subscriber, living in Shelbyville.

WINGFIELD BULLOCK.
31

TAKE NOTICE
THAT I gave a bond to Thomas Carlin, in 1798—the bond I have nearly paid off—the balance I am determined not to pay, as the said Carlin will not come to a settlement with me, and there is an order upon him for a claim of a small part of the land I gave this bond for.

RICHARD TAYLOR.
32

Ten Dollars Reward
FOR apprehending and securing Thomas Fletcher, who deserted from a detachment of recruits under my command at this place, on the 31st of December, 1798. He was born in Wye county, in the state of Virginia, nineteen years of age, six feet two inches high, dark complexion, smooth face, black short hair and black eyes—took with him one pair regimental woolen overalls, one shirt, a striped turban coat, nearly worn out and a short colored nankeen coat.

JONA. TAYLOR,
Lieut. 4th regt. Connty. Winchester, Renée. (Kentucky).
41

FOUND
ON the road leading from Georgetown to Lexington, a RED MOROCCO POCKET BOOK, containing linen papers, and two rings, which appear to be the property of Mess. Smith and Campbell, of Scott or Woodford county. The owner may get information by applying at the office of the Kentucky Gazette.

NOTICE
THAT commissioners appointed by the court of Garrard county, will meet on the first day of March next, if fair, if not, the next fair day, on Black creek, at the big spring where Samuel Rice formerly lived, there to perpetuate the testimony of sundry witnesses concerning the improvements of John Bruce, assignee of Thomas Pettit, and of such other acts as the law directs.

JOHN BRUCE.
Garrard county, 79
January 8th, 1799

GINSENG.
A GENEROUS price will be given in merchandise for a quantity of good well dried GINSENG
BY the subscriber in this place, and OTHO BEATTY & Co in Frankfort, from this time forward, until the middle of March next.

C. BEATTY.
Lexington, January 10, 1799.

The Subscriber
RESPECTFULLY informs the public in general and his friends in particular, who have been kind enough heretofore to favor him with their custom, that he has moved a small distance north of the court house, on the same street where he formerly lived, where he will keep the sign of the

AMERICAN EAGLE.
And is very commodiously situated to accommodate travellers, boarders, and such as may please to call on him. His furnishing his house and tables from the produce of his own plantation, together with his steady attention to the line of his business, will enable him to keep at all times a regular and plentiful supply; he hopes therefore, to be able to do such justice to those who may favor him with their custom, as to merit a continuance of their favors.

JOHN HUNTER.
Georgetown, January 14th, 1799.

TAKEN up by the subscriber, living in Montgomery county, near Springfield meeting house, a bay horse 14 years old, 14 hands and a half high branded on the near shoulder this M and on the near huttock D, both hind feet white, some saddle spots, a star in his forehead, appraised to 15 dollars.

JAMES McLANATHEN.
October 19, 1798.

TAKEN up by the subscriber, on Clark's fork Nelson county, a bay horse with a star in his forehead, about fourteen hands one inch high, eight or nine years old, appraised to 10l.

WILLIAM MORGAN.
May 14, 1798.

TAKEN up by the subscriber, upon the waters Dry run, Scott county, a black colt, two years old, branded on the near shoulder DH, off hind foot white appraised to 9l.

SAMUEL DEHAVEN.
FOR SALE,
Several Small Tracts of VERY Valuable LAND, and of incontestible TITLE, (viz:)

MILITARY LANDS IN THE STATE OF TENNESSEE.
265 Acres, comprehending three tracts of 125 acres each, adjoining the northern boundaries of an addition to the town of Clarksville, of the eastern bank of the river Cumberland, with a fine spring of water in each of the said tracts, 46 town lots, and out lots, being part of 56 town lots and out lots in the aforesaid addition to the town of Clarksville.

53 separated out lots of two acres each, being part of 55 out lots, lying on the east side of the aforesaid addition to the town of Clarksville, reserved for the accommodation of the purchasers of the town lots, during the term of 18 months from November last.

IN THE ILLINOIS GRANT, N. W. TERRITORY.
237 acres, being part of a 200 acre survey No. 126, granted to John Moore, as sergeant of artillery in the Illinois regiment, by a deed of the trustees of said grant.

LANDS LYING NEAR THE VILLAGE KASKASKIAS.
In the Illinois district, now county of St. Clair, N. W. Territory, granted by court or commandant for the state of Virginia, in 1784, 1440 acres, viz. 950 in 8 grants of 122 acres—80 in 2 grants of 240 acres; joined together on the east side of the river Kaskaskias, opposite the village of the same name.

364 acres bounded on the front by the said river Kaskaskias.
3850 ditto, comprehending 10 grants in the year 1784, lying together on the west side of the river Kaskaskias, above and near the village of the same name.

260 ditto, bounded on the north by the aforesaid 10 grants.
Alone lot in the town of Kaskaskias, pleasantly situated near the bank of the river.
For further information apply to
P. D. ROBERT.
Who has for sale 450 lbs. of very good GUN POWDER.
Lexington, April 4, 1798.

STATE OF KENTUCKY.
Lexington District Court;
October term, 1798.
John Kay, complainant,
AGAINST
Benjamin Fisher, defendant,
In Chancery.

THE defendant not having entered his appearance herein agreeable to law, and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this state—on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the third day of our next March term, and answer the complainant's bill; that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively, published some Sunday immediately after divine service at the door of the Presbyterian meeting house, and a copy posted up at the door of the court-house in the county of Fayette.
A copy. I ete,
Thos Bodley, Clk.

JOHN JORDAN, JUN
HAS JUST RECEIVED A LARGE QUANTITY OF
MADRERA,
SHERRY,
LISBON, & WINES. 21
PORT,
ALSO,
SPIRITS AND BRANDY.
Of a superior quality, which he purpotes selling very low for Cash.

FOR SALE,
FORTY THOUSAND acres of land, lying on Licking
3,357, ditto in Jefferson county, on the waters of Bear Grass.
1020 acres of a pre-emption in Shelby county
Foxe's run.
400 acres remaining the pre-emption.
1000 acres on the Ohio, Liberty county.
2,500 on the Ohio, Madison county.
2000 do do.
4000 acres on the Beech Fork, Nelson county.

2,332 1/3 acres on Fern creek, Jefferson county.
7000 acres on Rough creek, Harlan county.
4,500 acres in Milton county, on the Ohio.
350 acres on Green river, Lincoln county.
750 acres on Gosport creek, Nelson county.
1000 do. near the Kentucky river, Woodford county.
The greater part of the above lands I will sell very low for the next crop of tobacco, wheat, flour, hemp or merchandize.
JAMES P. DUVALL.
April 1st, 1798.

HOUSES FOR SALE

W HICH is to be sold at public auction, at this court house in Lexington, on the 11th of February next, being one of three months, that certain and genuine houses (in which Mr. Benjamin S. Cox formerly lived) and lots, situate and lying on a high street, being four poles in length and extending back to Water Street 3 1/2 poles, that part of the lot, fronting Water street, is erected a large stone house, a principal part of the premises work in said house completed. A fine spring house, with an excellent and never failing spring. This property is very valuable, and in point of situation, is equal, if not superior, to any in Lexington. An indisputable title will be made to the purchaser. JAMES MORRISON. Lexington, January 10th, 1799.

FAYETTE COUNTY, November court of Quarter Sessions, 1798. Perpetual Butter complainant.

AGAINST James Wilkinson, John Fowler and James Blair, defendants. IN CHANCERY.

THE defendant James Wilkinson not having entered his appearance agreeable to law, and the rules of this court, and it appearing to the satisfaction of this court that he is no inhabitant of this State, on the motion of the complainant by his counsel it is ordered that the said defendant do appear here on the second Monday in March next, and answer the bill of the complainant, that a copy of this order be forthwith published in the Kentucky Gazette for two months successively, and some Sunday immediately after divine service, at the door of the Presbyterian meeting house in the town of Lexington, and another copy to be posted at the door of the court house of this county.

(A Copy.) Telle, LEVI TODD, Clk. F. C.

FAYETTE COUNTY, Court of Quarter Sessions, November, 1798. John Luke, complainant.

AGAINST George Kiger, defendant. IN CHANCERY.

THE defendant not having entered his appearance agreeable to law and the rules of this court, and it appearing to the satisfaction of this court that he is no inhabitant of this State: On the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the second Monday in March next, and answer the bill of the complainant; that a copy of this order be forthwith published in the Kentucky Gazette, for two months successively, and some Sunday immediately after divine service, at the door of the Presbyterian meeting house, in the town of Lexington, and another copy to be posted at the door of the court house in this county.

(A Copy.) Telle, LEVI TODD, C. F. C.

TAKE NOTICE, THAT I shall attend with the commissioners appointed by the county court of Montgomery, on the 18th of February 1799, a moved place known by the name of File lick, on Red river, in said county, to establish the beginning and certain calls in an entry of 400 acres of land, in the name of Joel Collins, then and there to perpetuate the testimony of certain witnesses and to do such other acts as shall be deemed necessary and agreeable to law.

STEPHEN COLLINS. January 3d, 1799.

TAKE NOTICE, THAT I shall attend with the commissioners appointed by the county court of Clarke, on the 19th of February 1799 at the Mouth of Copper creek, known generally by the name of Brush creek, on Red river, in said county, to establish the beginning and certain calls of two entries made in my own name, one for 500 acres beginning at a ford on Red river, about half a mile above Copper creek, the other for 200 acres, beginning 20 poles below the mouth of said creek, on said river, then and there to perpetuate the testimony of certain witnesses and to do such other acts as shall be deemed necessary and agreeable to law.

STEPHEN COLLINS. January 3d, 1799.

TAKE NOTICE, THAT I shall attend with the commissioners appointed by the county court of Clarke, on the 19th of February 1799 at the Mouth of Copper creek, known generally by the name of Brush creek, on Red river, in said county, to establish the beginning and certain calls of two entries made in my own name, one for 500 acres beginning at a ford on Red river, about half a mile above Copper creek, the other for 200 acres, beginning 20 poles below the mouth of said creek, on said river, then and there to perpetuate the testimony of certain witnesses and to do such other acts as shall be deemed necessary and agreeable to law.

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STEPHEN COLLINS. January 3d, 1799.

TAKE NOTICE, THAT I shall attend with the commissioners appointed by the county court of Clarke, on the 19th of February 1799 at the Mouth of Copper creek, known generally by the name of Brush creek, on Red river, in said county, to establish the beginning and certain calls of two entries made in my own name, one for 500 acres beginning at a ford on Red river, about half a mile above Copper creek, the other for 200 acres, beginning 20 poles below the mouth of said creek, on said river, then and there to perpetuate the testimony of certain witnesses and to do such other acts as shall be deemed necessary and agreeable to law.

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STEPHEN COLLINS. January 3d, 1799.

A CAUTION.

I DO hereby forewarn all persons from taking an assignment on a bond given by me to John Emerton, of Greer town, for 200l. dated the 30th day of December, 1797, one half payable on the 20th day of last March and the other half on the 20th day of last November, with a credit on the bond for different payments to the amount of 160l. 12s; as the balance due on the said bond is attached in my hands.

SAMUEL COOPER. December 31, 1798.

STATE OF KENTUCKY, Lexington District Court; October term, 1798. John Wilkes Kittera, complainant, AGAINST Robert Morris, defendant. IN CHANCERY.

THE defendant not having entered his appearance herein agreeable to law and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this State—on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the third day of our next March term, and answer the complainant's bill: that a copy of this order be forthwith inserted in the Kentucky Gazette, for two months successively, and another be published some Sunday immediately after divine service at the door of the Presbyterian meeting-house in Lexington, and the door of the court-house in the county of Fayette.

(A Copy.) Telle, Thos. Bodley, Clk.

PARIS DISTRICT, October term, 1798.

Edward Worthington, complainant, AGAINST Daniel Callaghan, John Farris, Hugh Miller, and Benjamin Kierston, defendants. IN CHANCERY.

THE defendant Daniel Callaghan not having entered his appearance herein agreeable to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth; on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the third day of the next term, and answer the complainant's bill, and that a copy of this order be inserted in the Kentucky Gazette two months successively, another posted at the court house door of Bourbon county, and another at the front door of the Presbyterian meeting house in Paris, some Sunday immediately after divine service.

(A Copy.) THOMAS ARNOLD, Clk.

TWENTY DOLLARS REWARD STRAYED from the subscriber living in the Rate of Tennessee, Grainger county, Racoon valley, on the north fork of Bill run, the 25th of May last, a black horse, branded thus 7B, on the near shoulder—a little white spot on the near thigh, appears as if it was accented by the cork of a horse-shoe—he is nearly sixteen hands high—six years old next April—with a lisp tail. Any person delivering said horse to the subscriber, shall receive the above reward, or ten dollars to any person who will give information where he can be got.

JOHN SALLEY. November 11th, 1798.

THOMAS REID, CAPER & TIN SMITH; INFORMS his friends and the public, that he carries on the above business opposite Mr. Bradford's Printing Office, on Main Street; where he will be happy to serve any person who will please to favor him with their custom. Lexington, January 7, 1799.

An active lad, of about fourteen years of age, and of good character, will be taken apprentice.

FOR SALE, FOUR hundred and twenty-four acres of LAND, lying on the Main branch of Lick river, patented and surveyed in the year 1788—the title indisputable. For terms apply to the subscriber Capt. William Allen's, Lexington produce will be taken in payment.

ROBERT BRADLEY. LOST, BETWEEN this place and major Mitchell's, about 7 miles on the Woodford road, a large bundle of papers rolled up in a sheet of parchment, which can be of use to no other person except the loser. The finder can be at no loss to whom they belong, as the contents will point to the owner. If delivered to the printer hereafter a handsome reward will be paid by the subscriber.

THOMAS CARNALL. Lexington, 28th December, 1798.

A LIST OF LETTERS

REMAINING in the Post Office Lexington, which if not taken out in three months will be returned to the General Post-Office, as dead letters.

- Casper Adams, Lexington. Nathaniel Adley, do. Geo. Adams, do. Samuel Ayres, do. Lillis Allen, on the waters Luck and near Lexington. Mrs. Allen, Lexington. Capt. William Allen, do. Bureau Adley, do. —Aronson De Baitley, Lexington. John Breckenridge, do. William Bryant, near Co. John Brinton, do. Robert Brock, Georgetown. Henry Brock, near Lexington. Joseph Boggess, near Co. Capt. John Bell, South Elkton. Mr. Bells, Georgetown. Joseph Banger, between Lexington and Tennessee. —Geo. Clark, Lexington. Jacob Clark, do. James Colquhoun, do. —Reuben Lavage, care of R. H. H. Lexington. Dr. Amata Delano, Mount Sterling, K. Elizabeth Dent, Lexington. —Walter Fenwick, at Mr. Cox's Lexington. Joseph Fenwick, do. Dr. Charles Freeman Lexington. Dr. James C. Freeman, do. Henry W. S. Field, near Co. —G. Smith, Greenup, near Lexington. Mrs. Gray, near Co. Thomas Glasgow, Kentucky. James Gray, Stone, Clark county. Col. John Grant, Lexington. John Grant, near Co. —George Hamilton Lexington. Thomas Henderson, Grant's station, near Co. Alexander Hill Lexington. James G. Hunter, care of John Jordan, do. John Hollingworth, Lexington. John Hawkins, clerk of Scott county. Adam House, Harrison county. William Hamilton, near Lexington. Samuel Henson, care of Lewis Hunt, Woodford. —Thomas Hymn, near Lexington. Robert Johnson, near Georgetown. Capt. Benjamin Johnson, Scott county, care of Geo. D. Johnson, Lexington. Francis Jones Lexington. —Rev. D. Sam. Keen Jun. at Mr. Keen's, near Georgetown. John Keener, Fayette county, K. John Kent, care of Maj. Jennings, near Lexington. David Kuhn, near Blue Licks. Maj. Joseph Kennedy, Madison county. Michael or William Keating, care of Samuel Campbell, Lexington. —James Lowery, Lexington. John Lowery, merchants, do. Samuel Lowery, do. Samuel or William Logan, near Co. Charles Lewis, do. Jacob Lettitt, care of George Adams, do. James Lemon, Georgetown. —James M'Keeney, near Lexington. Humphrey Marshall, Fayette. Col. Thomas Armstrong, Madison county. William Martin, living at Mr. Carnall's, Georgetown. William Wellington, care of the rev. Mr. Rankin, Lexington. James M'Caun, Lexington. John M'Caun, do. Thomas M'Clain, do. Wm. M'Caun, do. James M'Golgib, line of captain M'Caun, near Lexington. Maj. Martin, Kentucky. Stephen Walker, near Mulholland. Adam Lloyd M'Gordie, near Lexington. Col. Wm. M'Kee, Gilbert creek, Lincoln county. Peter M'Kee, Clarke county. —Thomas Newberry, Lexington. Thomas Newberry, do. —Walter Overton, near Lexington. —Col. Robert Patterson, Lexington. Asa Pauley, living at Mr. Alexander's, Woodford county. Rev. Mr. David Proffit, care of Rev. Lewis, Lexington. John Phillips, Bourbon county, Lane ridge, Elk Horn. —1000 Quarters, Woodford county. —John Rains, Lexington. George Robertson Jun. near do. George Robertson Sen. do. do. Stephen Riddle, Woodford county. John Ritt, care of John V. R. Lexington. Capt. George S. Spicers, near Lexington. James Robertson (Kentucky). John Robertson, Lexington. Daniel Ralston, do. George Ramey, Black's old station. —Lieut. William P. Smith, Lexington. William Scott, do. Frederick Smith, Lexington. John Smith do. Amelia Smith, do. John A. Celler, do. William Spottwood, care of John Scott, do. John Scott, Fayette county. William Sanders, Clarke county, Gray Lick. —John Smith, near Co. Kentucky. William Spottwood, care of John Smith, Lexington. David Smith, fiddle tire maker, near do. An entry soldier, care of John Watkins. —Charles Sullivan, Lexington. Matthew Tamm, care of John M. M. do. John Clouston Jun. do. John A. Nary, K. do. M. T. Topley, care of Green Clay, Madison county. Henry Turpin, Garrard county. Benjamin Turpin, near Whiteside, Clarke county. John Tiedott, Madison county. —Vanp. diodes, Lexington. John Vance, near do. —George Weigart, Lexington. Dr. John Wattson, do. James Wattson, do. Matthew Wiggins, do. John Williamson, do. Aaron Woodruff, do. Col. Benj. Wancey, Fayette county. Robert Wilson near Lexington. George Wilton, do. do. Thomas Wilson, Garrard county. William Wesley, near Lexington. Richard Wades, Madison county. William Wata, Scott county. JOHN W. HUNT P. M. January 18, 1799.

THE defendant not having entered his appearance herein agreeable to law and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this State—on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the third day of our next March term, and answer the complainant's bill: that a copy of this order be forthwith inserted in the Kentucky Gazette, for two months successively, and another be published some Sunday immediately after divine service at the door of the Presbyterian meeting-house in Lexington, and the door of the court-house in the county of Fayette.

(A Copy.) Telle, Thos. Bodley, Clk.

PARIS DISTRICT, October term, 1798.

Edward Worthington, complainant, AGAINST Daniel Callaghan, John Farris, Hugh Miller, and Benjamin Kierston, defendants. IN CHANCERY.

THE defendant Daniel Callaghan not having entered his appearance herein agreeable to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court that he is not an inhabitant of this Commonwealth; on the motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the third day of the next term, and answer the complainant's bill, and that a copy of this order be inserted in the Kentucky Gazette two months successively, another posted at the court house door of Bourbon county, and another at the front door of the Presbyterian meeting house in Paris, some Sunday immediately after divine service.

(A Copy.) THOMAS ARNOLD, Clk.

TWENTY DOLLARS REWARD STRAYED from the subscriber living in the Rate of Tennessee, Grainger county, Racoon valley, on the north fork of Bill run, the 25th of May last, a black horse, branded thus 7B, on the near shoulder—a little white spot on the near thigh, appears as if it was accented by the cork of a horse-shoe—he is nearly sixteen hands high—six years old next April—with a lisp tail. Any person delivering said horse to the subscriber, shall receive the above reward, or ten dollars to any person who will give information where he can be got.

JOHN SALLEY. November 11th, 1798.

THOMAS REID, CAPER & TIN SMITH; INFORMS his friends and the public, that he carries on the above business opposite Mr. Bradford's Printing Office, on Main Street; where he will be happy to serve any person who will please to favor him with their custom. Lexington, January 7, 1799.

An active lad, of about fourteen years of age, and of good character, will be taken apprentice.

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ROBERT BRADLEY. LOST, BETWEEN this place and major Mitchell's, about 7 miles on the Woodford road, a large bundle of papers rolled up in a sheet of parchment, which can be of use to no other person except the loser. The finder can be at no loss to whom they belong, as the contents will point to the owner. If delivered to the printer hereafter a handsome reward will be paid by the subscriber.

THOMAS CARNALL. Lexington, 28th December, 1798.

THE QUALIFIED electors within this State, in the year 1799, shall, at the same time and place, as voting for members to the general Assembly, vote for members to represent them in the convention, for the purpose hereafter directed; and the members of the several counties and judges holding elections, shall in receiving votes, keeping the polls and making their returns for members to the convention, act agreeably to the law entitled "an act concerning elections," and shall be subject to the same penalties as are inflicted by the several acts, for neglect in similar cases. The convention is called shall sit with open doors, and the citizens of this Commonwealth be permitted to attend and near the debates.

2. A list shall be selected in each county within this State a certain number of representatives to the convention as they shall be then respectively appointed to sit in the house of representatives by law, and the members who shall be selected, shall continue in appointment for four months from the time of the election, unless the electors before then be to be completed, and shall meet in the State house in Frankfort, on the twenty second day of July, in the year aforesaid. Two thirds of the whole number of members, shall be necessary to constitute a quorum to do business; who after appointing a president and other proper officers, and fixing the rules of procedure, shall take into consideration, the condition of this State, or present form of government, and the propriety of altering, amending or re-adopting the same.

3. The president and members of the said convention shall receive the same compensation per day, and the same mileage and allowances for carriage, as the members of the assembly; and shall make such allowances to their officers as they may think necessary; and the auditor shall issue warrants on the treasurer for payment accordingly.

4 And be it further enacted, that the Counties of Christian and Warren shall at the next general election, be entitled to vote for electors representative, in each county, to convene the next general assembly; and also in each county to represent them in the convention.

This act shall be in force from and after the first day of March 1799.

NOTICE, Those gentlemen who have f.b. will be happy to purchase THE NEW ENGLISH INDIAN GRAMMAR, published by S. WILSON, may be purchased at Mr. Bradford's Printing Office in Lexington, Mr. H. B. Bird at 100 in Paris, and by the subscriber in Clarke county.

WILSON. January 1, 1799.

TAKEN up by the subscriber, living near Tadd's ferry, Mercer county, a bay horse, seven years old, fourteen hands high, two white feet on the near side, troths, a small tail, appraised to 15l.

WILLIAM M'KEE. October 23, 1798.

TAKEN up by the subscriber, on Clear creek, near Mr. Whitlock's mill, Woodford county, a bay horse, about fifteen hands high, about eight years old, no brand perceivable, appraised to 16l. 10s.

FRANCIS LEA. TAKEN up by the subscriber, living on Rife creek, Warren county, a brown mare, sixteen hands high, four year old, with a star in her forehead, neither dock nor brand perceivable, a natural trotter, appraised to 20l.

HUGH MCGARY. November 10th, 1798.

THE subscriber earnestly requests all persons indebted to him, either by bond, note, or book account, to make payment on or before the 1st day of January next.—Those who fail to comply with this notice, may be assured that their accounts will be put into the hands of proper officers for collection.

JOHN M. ROGGS. December 9th, 1798.

JOHN JORDAN JUN. HAS just arrived from Philadelphia with a LARGE and FINE ASSORTMENT of SILK & DIZ; which he is now opening and will sell whole sales on moderate terms.

Lexington, February 18th, 1799.

WISH to inform my customers, and the public in general, that I have moved my dwelling to a much better situation, and that I expect great dispatch will be made in the business; and that Mr. Burnit will attend at Mr. Lums B. Street's Tavern, in Lexington, the first day of every court, to receive and deliver cloth.

ELIJAH CRAIG. January 18, 1799.

STATE of KENTUCKY,
Lexington District Court;
November term, 1798
Guy Bryan, complainant,
AGAINST
Robert Morris, and John Nicholson, de-
fendants,

In Chancery.

THE defendants not having entered their appearance herein agreeable to law and the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this state—on the motion of the complainant by his counsel, it is ordered that the said defendants do appear here on the third day of our next March term, and answer the complainant's bill: that a copy of this order be inserted in the Kentucky Gazette, for two months successively, that another be published some Sunday immediately after divine service, at the door of the Presbyterian meeting-house, in the town of Lexington, and another copy posted up at the door of the court-house of Fayette county.

A Copy. Telle,
Thos. Bodley, Clk.

HARDIN COUNTY, (to wit:)
November, Quarter Session Court, 1798.
Samuel Rice, complainant,
AGAINST
David Barbour, defendant,
IN CHANCERY.

THE defendant not having entered his appearance agreeable to law, and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this commonwealth—on motion of the complainant by his counsel, it is ordered that the said defendant do appear here on the first day of the next pebuary term, and answer the complainant's bill, or the same will be taken as confessed. That a copy of this order be inserted in one of the Kentucky news papers for two months successively, and published at the door of John Vertrees's house on fine Sunday immediately after the divine service, and a copy fit up at the door of the court-house, of Hardin county.

(A Copy.) Telle,
MORRIS MILLS, C. C.

STATE of KENTUCKY,
LEXINGTON DISTRICT COURT,
October Term 1798.
John Henry, and Nancy his wife, late
relid and widow of William Elliot de-
ceased complainants,
AGAINST
James Elliot, James Stewart and Ann
his wife, Robert, Leggy, William,
Jame and Nancy Elliot, legal representa-
tives of William Elliot dead, defend-
ants.

IN CHANCERY.

THE defendants James Elliot and William Elliot, not having entered their appearance herein according to law, and the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this state, therefore, on the motion of the complainants, by their counsel, it is ordered that the said defendants do appear here, on the fourth day of our next March term and answer the bill of the complainants, that a copy of this order be forthwith inserted in the Kentucky Gazette, for two months successively—another posted at the door of the court house of Fayette county, and that this order be published some Sunday immediately after divine service at the door of the Presbyterian meeting house in Lexington.

(A Copy.) Telle,
I ho. Bodly, Clk.

ALEXANDER PARKER,
HAS JUST IMPORTED FROM PHILADELPHIA,
And now opening, on Main street, opposite the
court house, a very extensive
Assortment of Dry Goods,
Groceries, Hard Ware, Glifs, Queens &
China Ware;
which he will sell on moderate terms for Cash.
Lexington, Sept. 24, 1798.

To Be Exchanged,
A YOUNG STRONG HEALTHY
NEGRO WOMAN,
USED to house work, for
TWO YOUNG NEGROES, GIRLS
OR BOYS.
Enquire of the Printer.

STATE of KENTUCKY,
Washington District, &c.
November term, 1798
Cary L. Clarke, complainant,
Against
Joseph Cawking jun. and William Lloyd,
Thomas Lloyd, Abigail Lloyd, B. S.
Lloyd and Thomas Lloyd, heirs and
representatives of Samuel L. Lloyd de-
ceased, defendants,

In Chancery.

THE defendants not having entered their appearance agreeably to an act of assembly and the rules of this court; and it appearing to the satisfaction of the court that they are not inhabitants of this commonwealth—On the motion of the complainant by his attorney, it is ordered that the defendants appear here on the third day of our next term and answer the complainant's bill: And that a copy of this order be inserted in the Kentucky Gazette or Herald for two months successively; another posted at the door of the court house of Mason county; and that this order be published some Sunday, at the door of the Baptist meeting house in Washington.

A Copy. Telle,
FRANCIS TAYLOR, c. w. d. c.

STATE of KENTUCKY,
Washington District, &c.
November term, 1798.
Buckner Thruston complainant,
AGAINST
John Nicholson, and Robert Morris, and
John Grayham, George Grayham, and
Richard Grayham, infant heirs and
representatives of Richard Grayham
decd and Humphrey Marshall, and
George Rogers Clarke, defendants.

In Chancery.

THE defendants not having entered their appearance agreeably to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court that the defendants John Nicholson, Robert Morris, and George Grayham and Richard Grayham, are not inhabitants of this commonwealth—on motion of the complainant by his attorney, it is ordered that the said defendants appear here on the third day of the next term, and answer the complainant's bill: and that a copy of this order be inserted in the Kentucky Gazette, or Herald, for two months successively, another posted at the door of the court house in Mason county, and that this order be published some Sunday at the door of the baptist meeting house, in Washington.

A Copy. Telle,
FRANCIS TAYLOR, c. w. d. c.

STATE of KENTUCKY,
Washington District, &c.
November term, 1798.
Joseph M'Goffin & Son, complainants,
Against
Bertrand Ewell, Jesse Ewell, Levey Ewell
and Thomas Water, defendants,

In Chancery.

THE defendants not having entered their appearance agreeably to an act of assembly and the rules of this court; and it appearing to the satisfaction of the court, that the said defendants Bertrand Ewell and Jesse Ewell are not inhabitants of this commonwealth—On motion of the complainants by their attorney, it is ordered, that the said defendants appear here on the third day of our next term, and answer the complainants' bill: And that a copy of this order be inserted in the Kentucky Gazette or Herald for two months successively; another posted at the door of the court-house in Mason county; and that this order be published some Sunday at the door of the Baptist meeting house in Washington.

A Copy. Telle,
FRANCIS TAYLOR, c. w. d. c.

JOHN ARTHUR,
MAKES this method of informing his friends and the public, that he has opened store in the house adjoining Trotter and Scott's, opposite the Market house. He wishes to purchase a quantity of Tobacco, Hemp, Whiskey, Flour, Butter, Hogs' lard, Wheat, Rye, Oats and Corn—for which he will give cash and store goods.
Lexington, 18th December 1798.
* He has a ten plate stove for sale.

WANTED,
A quantity of good clean
ASHES.
Delivered at Mr. A. F. Saugrain's, Lexington.
JAMES M'COON.

STATE of KENTUCKY,
Washington District, &c.
November term, 1798.
Guy Bryan, complainant,
AGAINST
John Nicholson, Robert Morris, George
Grayham, John Grayham, Richard
Grayham, Humphrey Marshall, and
George Rogers Clarke, defendants.

In Chancery.

THE defendants, John Nicholson, Robert Morris, George Grayham, and Richard Grayham, not having entered their appearance agreeably to an act of assembly, and the rules of this court, and it appearing satisfactorily to the court that they are not inhabitants of this commonwealth—on the motion of the complainant by his attorney, it is ordered that the said defendants appear here on the third day of the next term, and answer the complainant's bill: and that copy of this order be inserted in the Kentucky Gazette, or Herald, for two months successively, another posted at the door of the court house of Mason county, and that this order be published some Sunday at the door of the Baptist meeting house in Washington.

A Copy. Telle,
FRANCIS TAYLOR, c. w. d. c.

STATE of KENTUCKY,
Washington District, &c.
November term, 1798.
James Lamberton, complainant,
Against
John Hancock trustee and Thomas War-
ring, Robert Rankins, Simon K. Neal
and William Lee, non grates, and Re-
bert M. A. and Mary his wife, James
Wood and Coby his wife, John Wood
and Mary his wife, and Elizabeth
Smith and Anne his wife, heirs of Na-
thaniel Allen, dec. defendants,

In Chancery.

IT appearing to the court, that the order to advertise, formerly had herein, has not been published agreeably to a rule of this court, and the said defendants James Wood and Coby his wife, John Wood and Mary his wife, Alexander Smith and Anne his wife, and Mary Meek I'll appearing to be no inhabitants of this commonwealth and they not having entered their appearance agreeably to an act of assembly and the rules of this court—On the motion of the complainant, by James Hughes his attorney, it is ordered, that the said defendants appear here on the third day of our next term and answer the complainant's bill: and that a copy of this order be inserted in the Kentucky Gazette or Herald for two months successively; and their posted at the door of the court house of Mason county; and that this order be published some Sunday, at the door of the baptist meeting-house in Washington.

A Copy. Telle,
FRANCIS TAYLOR, C. W. D. C.

TAKEN up by the subscriber, living in Fayette county, on Caney Run a bay mare, one year old half spring, about thirteen hands high, a blaze in her face, no brand perceivable, a natural trotter, appraised to \$1.
RANDOLPH HALFY.

STATE of KENTUCKY,
Lexington District Court;
October term, 1798.
Henry Furbance, complainant,
AGAINST
Robert Morris and John Nicholson, de-
fendants,

In Chancery.

THE defendants not having entered their appearance herein agreeable to law and the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this state—on the motion of the complainant by his counsel, it is ordered that the said defendants do appear here on the third day of our next March term, and answer the complainant's bill: that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively, that another be published some Sunday immediately after divine service, at the door of the Presbyterian meeting-house, in the town of Lexington, and at the door of the court-house of Fayette county.

A Copy. Telle,
Thos. Bodley, Clk.

JUST PUBLISHED,
The Kentucky Almanac,
For the year of our Lord 1799.

JAMES B. JANJARY,
HAS removed his store in the house adjoining the sign of the Buffalo, kept by John M'Nish—where he has opened a very handsome assortment of
GOODS,
Suitable to the present and approaching
Season.

He has also for sale, a quantity of
RED-CLOVER SEED,
Of this year's produce and the growth
of Kentucky—a large quantity of
SALT, IRON & CASTINGS,
Advert. - Buy
LISTEN!

Those indebted to him, may pay off their respective balances on or before the 1st of February.
December 21, 1798.
NO 14CE.

ALL persons indebted to me, are requested to make immediate payment to James Hughes, attorney at law, who is authorized to collect the debts due to me, and from the collections to make payment to my creditors.
MELCHOR MYERS, Butcher.
Lexington, December 23d, 1798.

As the creditors of Melchor Myers are very pressing, and some of them have obtained judgments, no indulgence can be given to those of his debtors, who do not immediately make partial payments at least. I will not be obliged to furnish me with their accounts, in order to enable me to appropriate the money I may receive.
JAMES HUGHES.
Lexington, December 23d, 1798. 5w

On bond given, December 23d, 1798.
In pursuance of a written and mutual consent, these having any demands against the same, are desired to come forward and have them adjusted, and those indebted to make immediate payment to John Crittenden in whole case the books and papers will be left during the absence of Thomas Turpin: Those who do not pay their respective balances before the first of February may expect suits to be commenced against them.
JOHN CRITTENDEN.
THOMAS TURPIN.

Five Dollars Reward.

LOST on the 12th instant, between Young's mill, and my house, seven miles from Lexington, near the Pleckman road, a red Morocco POCKET BOOK, with a number of papers of its postage to me, but of no account to any other person that I know of; together with a bond given by Robert Rules to the subscriber, for the sum of 14, dated 1796, and a judgment obtained in Culpeper court, Virginia against Thomas Jones, for the sum of 50, and calls in my favor with a number of other bills and accounts too tedious to mention. Any person giving information so that I get it, shall receive the above reward by me.
JAMES OWENS.
Dec 24, 1798. +11f

STATE of KENTUCKY,
Lexington District Court;
October term, 1798.
Robert Johnson, complainant,
AGAINST
Francis Boykin, George Lanckfort, William Hunt, David Barrow, Thomas Jordan, Robert Jordan, Francis Marshall Boykin, dec. Boykin, heirs and representatives of Robert Marshall deceased, John Lawton, dec. and Sally Lawton, heirs of John Lawrence deceased, and Josiah Larkin, administrator of William Dixon, dec. defendants,

In Chancery.

THE defendants not having entered their appearance herein agreeable to the rules of this court, and it appearing to the satisfaction of the court that they are not inhabitants of this commonwealth—on the motion of the complainant by his counsel, it is ordered that the said defendants do appear here on the third day of our next March term, and answer the complainant's bill: that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively, published some Sunday immediately after divine service, at the door of the Presbyterian meeting-house in Lexington, and a copy posted up at the door of the court-house a the county of Fayette.

A Copy. Telle,
Thos. Bodley, Clk.